

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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|----------------------|---|------------------------|
| In re: | : | Case No. 16-22627-GLT |
| | : | Chapter 7 |
| DONALD E. YAUGER and | : | |
| LAURA K. YAUGER, | : | |
| | : | |
| Debtors. | : | Related to Dkt. No. 36 |
| | : | |

ORDER TO SHOW CAUSE

This matter initially came before the Court upon the *Motion to Convert to Chapter 7 of the Bankruptcy Code* [Dkt. No. 33] filed by the Debtors, Donald E. and Laura K. Yauger. The Court issued its *Order* dated February 23, 2017 converting the case from chapter 13 to chapter 7 [Dkt. No. 36] (the “Conversion Order”). The *Conversion Order* required the Debtors to, among other things: (1) file all statements and schedules required by Bankruptcy Rules 1019 and 1007(b) (a “1019 Conversion Report”) by March 9, 2017; and (2) file a statement of intention with respect to the retention or surrender of estate property which secures a debt, as required by 11 U.S.C. § 521(a)(2) and Bankruptcy Rule 1019(1)(B), by March 25, 2017. The *Conversion Order* further provided that if the required documents were not timely filed, the Court would conduct a status conference on April 7, 2017.

Neither the statement of intention nor the 1019 Conversion Report were filed by the established deadline. Accordingly, the Court held a status conference on April 7, 2017 to address the Debtors’ failure to file both documents. Neither the Debtors nor their counsel appeared at the September 29 status conference. As of the date of this *Order*, both the statement of intention and the 1019 Conversion Report remain unfiled.

AND NOW, based upon the foregoing, it is hereby **ORDERED, ADJUDGED,** and **DECREED** that:

1. An ***Order to Show Cause*** is issued against the Debtors to personally appear through their counsel, Jeffrey S. Golembiewski, Esq., at a hearing before this Court on **April 27, 2017 at 11:00 a.m.** in Courtroom A, 54th Floor U.S. Steel Tower, 600 Grant Street, Pittsburgh, Pennsylvania 15219 to show cause as to why this case should not be dismissed for the failure to comply with the Court's *Conversion Order* by filing the statement of intention and the 1019 Conversion Report, and why Attorney Golembiewski failed to attend the April 7 status conference.

2. Any response to this ***Order to Show Cause*** shall be filed with the Court on or before **April 20, 2017**. If corrective actions are taken to comply with the *Conversion Order* by April 20, 2017, the Court may vacate the ***Order to Show Cause*** and the hearing may be cancelled.

Dated: April 7, 2017



GREGORY L. TADDONIO
UNITED STATES BANKRUPTCY JUDGE

Case Administrator to Serve:
Donald E. and Laura K. Yauger
Jeffrey S. Golembiewski, Esq.
Robert H. Slone, Esq.
Office of the U.S. Trustee

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Donald E. Yaeger
Laura K. Yaeger
Debtors

Case No. 16-22627-GLT
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0315-2

User: mgut
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Apr 10, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 12, 2017.
db/jdb +Donald E. Yaeger, Laura K. Yaeger, 27 Chaffee Street, Uniontown, PA 15401-4603

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 12, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 10, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Lakeview Loan Servicing, LLC bkgroup@kmlawgroup.com
Jeffrey S. Golembiewski on behalf of Joint Debtor Laura K. Yaeger jgolembiewski@yahoo.com,
denisegole@yahoo.com
Jeffrey S. Golembiewski on behalf of Debtor Donald E. Yaeger jgolembiewski@yahoo.com,
denisegole@yahoo.com
Joshua I. Goldman on behalf of Creditor Lakeview Loan Servicing, LLC bkgroup@kmlawgroup.com
Matthew Christian Waldt on behalf of Creditor Bank of America, N.A. mwaldt@milsteadlaw.com,
bkecf@milsteadlaw.com
Matthew John McClelland on behalf of Creditor Lakeview Loan Servicing, LLC
bkgroup@kmlawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Robert H. Slone, Trustee robertslone223@gmail.com, rslone@pulsenet.com;pa07@ecfcbis.com
Robert H. Slone, Trustee on behalf of Trustee Robert H. Slone, Trustee robertslone223@gmail.com,
rslone@pulsenet.com;pa07@ecfcbis.com

TOTAL: 9